

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ISADORE GENNINGS,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

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No. 1:01-CR-00009(3)
Civil No. 1:07-cv-00272

ORDER

For the reasons articulated in its Order of July 31, 2007 (doc. 220), the Court hereby DENIES Petitioner's Motion for Leave to Appeal In Forma Pauperis (doc. 222). In doing so, the Court REITERATES its previous ruling that for the purposes of pursuing an appeal of this Court's Order denying Petitioner's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3), that an appeal will not be taken in "good faith," and that any application to appeal in forma pauperis shall be denied.

The Petitioner remains free to file a motion to proceed on appeal in forma pauperis in the United States Court of Appeals for the Sixth Circuit, pursuant to Fed. R. App. P 24(a)(5).

The Clerk is hereby DIRECTED to transmit a copy of this Order to the Clerk of the United States Court of Appeals for the Sixth Circuit.

SO ORDERED.

Dated: August 28, 2007

s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge